



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 17, 1998

Mr. Michael G. Young
Attorney
Texas Department of Health
Office of General Counsel
1100 West 49th Street
Austin, Texas 78756-3199

OR98-1944

Dear Mr. Young:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 117359.

The Department of Health (the "department") received a request for various documents relating to contracts between TDH and Ross Laboratories Division of Abbott Laboratories as well as information pertaining to litigation styled *Texas Department of Health v. Abbott Laboratories U.S.A. Inc.*, No. 96-13034 (250th Dist. Ct., Travis County, Tex., 1996). You claim that some of the responsive information is excepted from disclosure under section 552.107 of the Government Code.¹ We have considered the exception you claim and reviewed the submitted information.


Section 552.107(1) protects from disclosure information that reveals client confidences to an attorney or that reveals the attorney's legal advice, opinion, and recommendation. See Open Records Decision No. 574 (1990). Section 552.107(1) does not except from disclosure factual recounting of events or the documentation of calls made, meetings attended, and memoranda sent. Open Records Decision No. 574 at 5 (1990). We agree that section 552.107(1) excepts from public disclosure documents A, B, C, D, E, F, G, H, and I in their entirety and that the documents may be withheld.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue

¹We assume you have released the remaining responsive information to the requestor.

under the facts presented to us in this request and should not be relied on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to be 'Janet I. Monteros', with a long horizontal line extending from the end of the signature.

Janet I. Monteros
Assistant Attorney General
Open Records Division

JIM/nc

Ref.: ID# 117359

Enclosures: Submitted documents

cc: Mr. C. Brian Cassidy
Locke Purnell Rain Harrell
100 Congress Ave., Suite 300
Austin, Texas 78701-4042
(w/o enclosures)